

**Town of Milton**  
**Town Council Meeting**  
**Milton Library, 121 Union Street**  
**Monday, October 3, 2011**  
**6:30 p.m.**

**Transcriptionist: Helene Rodgville**  
**[Minutes are Not Verbatim]**

1. Presentation by Detective Pyers of the Dover Police Department regarding gangs and drugs (will start later in the meeting) Detective Jason Pyers started his presentation at 6:50 p.m. Chief Phillips: Detective Jason Pyers of Dover Police Department will put on a small presentation now.  
Detective Jason Pyers, Dover Police Department: Good evening. I've been on the Police Department for about 16 years now. Of my 16 years at Dover Police Department, 13 years I've spent in the drug unit. I started off in patrol, like everybody else did and uniform; took a knack to the drug game, so I kind of fell in place with the unit and started going from there. I'm a local kid. Born and raised in Dover; that's where I grew up on the Air Force Base; a military brat. Went to Caesar Rodney High School; graduated from there. What I'm talking to you about today, is some of the issues we've had come up with being a local boy, seeing it from its infancy up to where it is now; as far as some of the problems we've had in Dover. I'm going to educate you on what we ran into, so hopefully you can kind of get ahead of the curve and learn from what we've had to experience up there, as far as some of the violence, some of the crime that's associated with street gangs and with illegal drugs. Drugs are a major source of problems for us up in the City of Dover. If you look at the majority of our violent crime within the City; and I think if you just go nationwide and look at the majority of your violent crimes, it is going to be drug related. One way, shape or form it's going to be drug related. Whether it is the kid who's doing the burglary, they're stealing your jewelry to pawn it, to go get pills; or whether it is one drug dealer kicking in the door and doing a home invasion on another drug dealer. There's always some type of drug related nexus between majority of your violent crimes. Now where do gangs fall into this? Gangs fall into this, because the majority of their income, comes from illegal drugs; so they kind of go hand in hand and that's where we really got blindsided in Dover. I always like to give thanks, because one thing I've learned in the law enforcement community, is one agency alone can't do it; we always share information. These gangs and these drugs are transient; they go up and down the State. I could show you gang members from Dover that are in Rehoboth all the time and vice versa. We even have a nexus between us and West Virginia, which is crazy to me, but we do. So what I'm trying to say is don't think that because you're in a small town like this, that you're isolated or removed from this. I don't necessarily think that Dover is a big city, but some of the big city problems that we have up there; but I like to give thanks to all these agencies, because that's who I work with constantly, as far as sharing information up and down the State; so we're all on the same page and everybody is safe. The adult content. I always put this up here. If you haven't figured out by now, I talk really fast, so if you listen quick I don't have to slow down; but if you need me to slow down, put your hand up and I will definitely slow down. The other thing that I do sometimes and I get in trouble for this, is I use words that I like to call "sentence enhancers". Other people refer to it as "profanity"; so I'll try to clean it up as best I can, but you have to understand I talk to drug dealers all day long and I'm used to communicating in certain terms; so if I slip up, I just want to apologize in advance. I'm going to show you something, real

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quick. Like I said, I was born and raised in the City of Dover and what's interesting, is when gangs first showed up in Dover, I was just like everybody else; I was like there are no gangs in Dover. There's none and we don't have any problems in Dover, we're a small town; we don't have gang problems. Well what happened was, we had a rash of violence break out and if you look at these slides up here, you'll see that a lot of this happened around Delaware State University on the east side of Dover. We had a rash of violence break out in the City. We couldn't figure out exactly what was going on. The one thing we did do, is we were good as far as investigating the actual crime; whether it was the murder, whether it was the assault, whatever it may have been; we were really good as far as investigating the crime; but the one thing we didn't look at was the gang aspect of it. The reason why is because we weren't educated. Bottom line, came down to education and knowing what was there. Because a lot of this was happening in our open air drug markets, and with our drug crews, we and the drug unit were getting tasked a lot with these investigations, as far as assisting. I honestly didn't have the answer and I think that's the key, is pretty much when you know you don't have it, you don't it. So what they did is they sent me to a bunch of schools and when I went to that bunch of schools, I came back and pulled all those cases I suspected were gang related and low and behold, everyone that you saw up there was gang related. Now they sent me to about 120 hours a year of gang training that I attend; mainly around the northeastern part of the United States, but I get to hear speakers from everywhere, you name it, and I've probably heard them from England to California to anywhere in the United States. Now I'm going to show you right here, what's interesting is the kind of impact that somebody can have in this area. What you say up here are seven individuals; those seven individuals were responsible for all of that violence that you saw up on that screen. It shows you how just a small group of them can come in and wreak havoc on you and if you don't know what you have, as far as the nexus and being able to connect everything; and if you don't have the manpower to deal with this, you're going to have some serious problems; because you get into the problem or the point of being proactive and reactive with your policing. The one thing we learned is reactive policing will get you into trouble. This one gentleman right here is the one who was responsible, in my opinion, in the City of Dover, of starting all of our gang related stuff that we have with our Bloods. This gentleman right here is Deshaun Morris, who was a Del State student. I'm just going to give you a little quick background so you can see how fast things can get out of control for us. He came to Del State as a student; he was on the football team; he was a Blood Gang member from Newark, New Jersey, that's where he's from. If you want to learn more about him, he has a TV show, believe it or not, on the Sundance Channel; it's called "Brick City". If you watch it you will see Deshaun on this TV show. It's a reality show that they have out there. But what Deshaun did, is he got kicked off the football team, because he got caught with a gun. He was bitter at the other football players, because he thought they were the ones that ratted him out, so Deshaun declared war. He brought the Bloods down from New Jersey and they came into the City of Dover and wreaked havoc and what happened is, a lot of people became infatuated with Deshaun and with this gangster lifestyle, and it took off like wildfire and now we have; if you ask us predominantly what super gang that we have our problems with, it's going to be our Bloods; by far are one of the biggest problems that we have. This right here was the catalyst that really got Deshaun jammed up. That's the one at Del State that we put him in jail for. What happened was Deshaun was going back and forth; you saw a murder up there, and a couple of assaults. Deshaun gets into it with the football team and what happens is he pretty much orders the execution of one of the football players; he gets into this big confrontation right on College Road, right at Del State, right in the middle of the street, right there; as you can see where the Cadillac is parked, where the cones are. They caught one of the football players and Deshaun

ordered him to get killed. Fortunately, for the football player, he didn't die; he got shot seven times, but he didn't die and he lived. However, because of lack of victim cooperation, Deshaun only did six months in jail and while he was in jail, he wrote this book. If you are looking for any good reading on the City of Dover. It's called the "War of the Bloods from my Veins". Deshaun wrote this book and basically he got critical acclaim for it and it took off; and now, like I said, he has his own TV show; that was a clip of the TV show, but we're not going to get into it, because we don't have time. If you want to look him up, you can Google him on YouTube, whatever you want to do and you can find Deshaun all over the place. This is one of the key things that we've had here. When we initially had to deal with this gang issue, I was told my some in my administration that we had a gang presence, not a gang problem. Now we'll put this in terms for you to understand this. You're at home. It's Thanksgiving. You have all your family gathered around the table, right; you're having dinner. As you're sitting there having dinner, a cockroach runs across the table; do you have a cockroach presence, or do you have a cockroach problem? You definitely have a cockroach problem; because the one cockroach you see, there are a million of them in the walls that you don't see. Same thing with these gang members. Once you see one of them show up, you have a serious problem on your hands, because if you can see one of them, it's over. They're already in here and they've already established themselves. This is one of the crime trends that we have had in Dover. This is just since 2007, just so you can wrap your brain around some of this stuff, of how quickly it can go. You can see we've had 112 gang related criminal complaints and we had 485 charges as a result of those complaints. You can see that the crimes go from shootings, assaults; right now there is a lot of gun play up our way; a lot of shootings are going on between these guys. Thank goodness, for the most part, they can't shoot too well, so it's just a lot of dead cars and houses shot up, but they're trying; it's not from lack of effort. I'm going to show you two examples of things that happened in Dover, that really were the catalyst for us as far as the media attention and getting our small town woken up to what we had. This is at Town Point Apartments. What's interesting about this, you can see where D Building is at Town Point Apartments. Two blocks over is where my Mom lives; so you can see I'm kind of invested in this one a little bit. That's where I grew up. Out here at Town Point Apartments, what happens is, if you don't know this; a real quick education on Bloods. East coast Bloods that are over here, as far as a street gang is concerned, are different then the ones in California. I know most people, when they think of Bloods and Crips and these gang members, they go immediately to South Central Los Angeles, which is what I thought; however, they're two totally different animals. Our east coast Bloods, even though they're all in the same gang and they all claim to be Bloods, they have different sets within there that don't get along. Because they're Bloods, they don't always get along. Yes, Sir.

Unidentified Speaker: Can you actually them where Town Point Apartments actually is in Dover?

Detective Jason Pyers: Sure. You know where the K Mart is in Dover, when you're coming into the City; it's right directly behind there is where Town Point Apartments are.

Unidentified Speaker: Right east of 13.

Detective Jason Pyers: Yes, just east of 13, if you turn at the K Mart and you hit the stop sign...

Unidentified Speaker: Past Route 8?

Detective Jason Pyers: Yes. It's going to be north of 8.

Unidentified Speaker: North of 8.

Detective Jason Pyers: Just south of Dover Downs Racetrack; like Town Point and that whole neighborhood, you can see it right from the racetrack; it sits right there with some apartments and stuff.

Unidentified Speaker: Thank you.

Detective Jason Pyers: So right here is where we had this incident occur and what happened is there were two rival Blood gang sets that were in this particular area. They go to confront each other and what happens in this confrontation is one disrespects the other and because of that disrespect, all hell pretty much broke loose up there. This is one of the gang members that was involved in this; that's Shevia Harris. Right now he has a lot more wholes in him then the good Lord game him, because he lost the gunfight on this one. Go through his stats. Right here, here's the crime scene for you to see. This is pretty much what happens out here. The confrontation ensues between Shevia Harris' group of Bloods and this other group of Bloods. What happens is, all over, believe it or not, this was all over a set of beads. Our east coast Bloods wear certain pieces of jewelry and they have these beads that mean a lot to them. It's what they earn, once they get into the gang. What happened was the rival gang snatched the other ones beads, and disrespected them; so they left and went to get their guns; and they came back. So what happens was we had this big running gun battle now in Town Point Apartments and pretty much all the Bloods that were with Shevia left; he was the only one standing there; the rival showed up and the gunfight broke out. Now once that happened, Shevia got shot 10 times and what's amazing about this whole thing, is he got shot 10 times; one of which was directly between his eyes with a 9mm; and what was interesting, when we got to the scene; he even had brain matter, what we call spaghetti, hanging out of his ear; he could talk, which was amazing to me; he actually asked us if we could get him a pillow, because his head hurt and can we take his shoes off because he couldn't breath. I was thinking, no doubt your head hurts, you've got a bullet in it. Shevia would up living and through this process what happened was, they tried to execute him; you could see by the trajectory of the bullet, you could see where the shell casings are, right there where the 25 marker is, right at that arrow; you can see where that shell casing is. You can see that was where Shevia was laying; pretty much what they tried to do was execute him; stood over the top of him and shot him like four or five more times. They couldn't finish the job off; but what happened is this gentleman right here, Mr. Brown, he was the one responsible for actually the shooting in this case. He lived just north of Dover, actually; just out of our jurisdiction; but he was in Dover having a good time. Those are the beads I was talking to you about, that our Blood gang members wear quite a bit. I really don't have time to get into a whole one on one with you on gangs; but if you're ever interested and I usually come out and speak to the public about gang stuff, so if you ever want a one on one on what to look for, as far as graffiti and different gang related stuff, by all means, the Chief knows how to get a hold of me. Then after that right there, Shevia Harris, what was interesting, he showed up at the trial but refused to testify on this attempted murder case; because he refused to testify Larry Brown took a plea to assault first and got 10 years, suspended after serving three. So this gentleman after shooting somebody is only going to be in jail for three years and he's going to go right back out on the streets again. Here's another interesting one that took place. I have to give my Chief a lot of credit on this one. I like him a lot and he and I are very close; he was in the drug unit with me for probably about 6 or 7 years. So he's very forward thinking and he's a very straight shooter, which is, in my opinion, that honesty is what the public needs because you need to be educated on what actually goes on in your area, so you don't walk around with blinders on. So this case, right here, was one of the ones that really did it for us too. This happened in Manchester Square; this occurred in broad daylight; 5:00 in the afternoon. Manchester Square is on the east side of Dover; it is right next to Town Point, where I was just describing to you; if you know where the Rita's is in Dover, right on the highway; most people do. You make a right right there at the Rita's and go back and there's actually a park right next to it. So what happened out here was our Manchester Square boys now; what's interesting I told

you about the Bloods. Now, we also have our local neighborhood gangs that stick together as well; and Manchester is a perfect example of what I'm talking about; these guys are what we refer to as our Eight Block Boys; they named themselves this and they create a lot of problems, a lot of problems for us, because these guys love guns and they have access to a bunch of guns and they have no problems pulling the triggers on these guns. So what happened was they got the name the Eight Block because see the two circles in Manchester, makes an eight; everybody in Dover claims a block. Like downtown, our downtown guys, they claim three block; our Capitol Green Guys, which are right across from Winter Ford, they claim Four Block and then Manchester all claim Eight Block; but Manchester is a non Blood friendly area, so what happens is we have this big shootout in the middle of the day. What happened was the Bloods come into the rival territory, they disrespect these guys, and little do they realize that they were outgunned. So they broke out the big assault rifles, the AK's and the 45's and all hell literally broke loose. This big gunfight breaks out and these guys start shooting it up. There are kids outside; particularly I remember a 9-year old and I think a 5-year old. The 9-year old got so panicked that she pushed the 5-year old to the ground and just laid on top of her, because this gunfight lasts for probably about a good three or four minutes. We were fortunate enough that our drug unit was actually doing a search warrant up at Del State when the call came in; and thank goodness we were there, because there were probably about 5 or 6 of us that were able to assist patrol, because what happened was our patrol guys, for this blazing shootout, because of our manpower issues in Dover, only two officers could respond; so now you've got this big shootout between two rival gangs and because of our manpower issues, only two could respond. Fortunately enough for us, our drug unit was there and six of us showed up on the scene and we were actually able take control of an extremely chaotic situation because during this gunfight, what happened was half of our guys, our Eight Block Boys, were running into this apartment and then the Bloods, their driver, I guess they didn't have their GPS or their Nav working right, but the driver didn't know his way out of the neighborhood and drove to a dead end and pretty much it was a turkey shoot for those guys from there. So they took off running through a park and went over on another street and ran to one of their Blood houses over there. So we had two separate crime scenes going and with these crime scenes, it was just chaos; I can't describe it to you any other way. It was very difficult because I was the ranking person on the scene out of Manchester. I had to control all this chaos with limited resources; which really became a problem for me, because number one, we're going to err on the side of safety, as far as our officers are concerned; but two, we've got to get to the public and have them safe, as well. It was very chaotic; we had to slow things down and take our time, but we were able to get it accomplished safely. These are some of the weapons that were recovered out of this incident. There's the assault rifle that we got out of there; but what was interesting, was thank goodness they weren't trained as well as they should have been, because the bullet that you see on the bed right there, that round they took out; actually the primary was struck, but the bullet didn't fire; so I think that's why the didn't do any more damage with the AK-47 than what they did. These are Eight Block Boys that were involved in the shootout. Out of these, what's interesting, talking about the transient nature of these guys; these nine right here are involved and they went down to Ocean City, Maryland; they're down there on the Boardwalk and they would up doing an armed robbery and an assault down in Ocean City; so what I'm telling you is that they will move up and down the State. They will go wherever they think is a soft market. Talking to these guys, I actually have a pretty good rapport with a lot of these gang members and a lot of these thugs that I deal with and a lot of the drug dealers. Having this rapport, I would ask them why Dover; especially the out-of-state boys that come down here. What they tell us it's a soft market. Dover is soft. We can come in here and establish ourselves and I kind of took that

personally, because I'm thinking we don't want to make it a soft market; not for anybody coming in here to try and do any crime. So they in turn when they try to explain to me what they mean by soft, was that it was a place they could easily come in and manipulate the locals and take over and that's exactly what happened to us. Now, what was interesting too, was when the shooting happened, most of these guys made bond within that day; they were right back on the streets again; so we have to contend with them still; even though they're out on bond; you know, innocent until proven guilty; we still have to deal with these guys. These cases are still pending. The one thing that happened now is the media got involved. The media got wind of these shootouts and now things started changing for us in Dover, as far as the climate in dealing with the public; because now they're starting to get educated to something that we've always known; so all of a sudden everything starts popping up in the paper. They did a four day series on gangs in Dover; I don't know if you read it when it went through; it was last year; they interviewed me a lot. I didn't really want to do the interviews, to be honest with you; but I did see that there was going to be some positive impact as far as educating the public and getting people aware of what's going on up there, so we can get the resources that we needed to be able to deal with these problems; so I agreed to do the interviews; at least I tell that to myself. I don't think I ever had a choice, my Chief told me I was doing the interviews, so I was doing the interviews; so I tricked myself into thinking I agreed; but I had no choice, but the one thing I wanted to make sure of when we did this, was that it wasn't a glorification of this; because sometimes if you give these people the notoriety, they will take that and run with it. The perfect example, I'm just talking to you about street gangs right now; I could sit here and talk to you about how motorcycle gangs; which you have more of a problem down here, I think, then we do up our way; dealing with the Pagans and a few of the other ones that are out there. I get really nervous when the media stuff starts happening, because if you ever watch Gangland on the History Channel; once they did a piece on the Pagans; we saw them everywhere. Before they kept a real low profile, so it was almost like a recruiting film for them and they kind of took off with it, so that's one of the things I was fearful about dealing with the media on this topic. But they did it and it came out and it really woke up a lot of people in Dover to say okay, we really have a problem. Our manpower is actually low; we were four officers short; we're supposed to be at 93, they actually had us at 89 officers. After doing this presentation, I educated the City Council on what we really had and some of the problems; and the one thing they asked me well Detective Pyers, what do you need? I said, I need bodies. I said, I need people out there to be able to combat this, because what happens is if you don't have the bodies out there to deter this type of stuff, it's going to be a soft market and they're going to come in and take over. You can see these are all the things that came out with this. One of the things that we were successful in, is with this attention that we received, we were actually able to get the gang related penalties changed in the criminal justice system, as far as Delaware is concerned. Now it actually increases the penalty if we can prove a crime is gang related; so that's one of the other things we wanted to do too; is to educate people out there, so we could have a bigger impact. Now this is what we can do. One of the key things to combat gangs, everybody always asks what can you do; education is key and education is what I'm doing with you now; explaining to you what's out there and what can potentially be done. That's one of the key things that has to happen. You have to know what you're up against, before you can defeat it. The next one is intervention and at Dover Police Department we used to have the DARE Program; we've recently dropped the DARE Program and picked up a great program, which is a gang reduction program that we just implemented this year and started it. That's how we try to get it to intervention; that deals with elementary school, as well as Middle School kids. We get out there with them and get hands on to try to get them out of that. It's very, very important – the intervention part. Last,

but not least, is when we come in law enforcement, also is suppression. Once they are out there and there's problems, you have to go out there and pretty much smack them in the face and kick the doors in to get them out of there; to put them in jail. The only way you can get that done, is through manpower. All this requires manpower for us to get it done. Here's one of the things that we had to do. At Dover Police Department, we had to put into place, policies and procedures to deal with this stuff. That's one of the things we had to educate ourselves on. We had to put down a gang identification criteria; something extremely important that you have to have on file; because for us to label you as a gang member, it takes 3 or more incidents. We can't just say because you're wearing something that we deem or we believe is gang related clothing; that we can label you as a gang member. It will take more than one. You can be arrested with other known gang members; stopped in a high crime area that's gang related; it will take three of those things and we actually have to keep track through intelligence reports and everything else, all the times that we've contacted these people to validate them as a gang member. Once we can validate them, then we can go to court and say, listen this person is 100% a gang member, so we want to prosecute this as a gang related crime. But that whole validation process, that's where we really fall short in Dover, too, because I do not have a dedicated intelligence officer to do that; so now my officers on the street, my detectives, are tasked with gathering this intelligence; tracking this intelligence; as well as working the cases; while the rest of these guys are trying to put them in jail. So you could see how taxing and exhausting it is from the manpower perspective. Here's some other recent crime trends we list in Dover, so you can see what's going on with us up there, a little bit. I told you about between us and Charleston, West Virginia. The other thing is our Crips in Dover have a strong nexus to Rehoboth Beach. They're down there quite a bit and I know in the beginning of the summer, Rehoboth had some problems with some gang related incidents on the Boardwalk. How do I know this, because they called me down there to educate them; so I did an in-service for their officers down at the Rehoboth Beach Police Department; I probably spent about 5 or 6 hours with those guys and going over a 101 of gangs for them, to let them know this is what you have. I went out to their areas. They showed me what they thought was gang related graffiti and gang related incidents and I looked at that, and they were 100% correct. That's exactly what they had on their hands. But the one thing that I have to give Rehoboth Beach credit for, is they're very proactive in their policing of it. They came and got educated, which is very, very important and number two, they went out there and took control of the Boardwalk; because they knew their tourist industry, if that really got out or if that really took hold, that they would have some problems; so I tipped my hat to Rehoboth Beach Police Department, because they did it right, they went out there and addressed the problem. You can see up here, we've had an increase with the Pagans, big time. We've had a whole bunch of shootings. This was updated in September; we just had two more gang related shootings this past week. It's really getting out of control for us up there and we're trying to get our manpower; right now we're at 93; the Chief ideally wants us up to 100; and I think we could actually probably do more than 100 to get what we need to get accomplished. Now, do you have any questions on the gang stuff at all? I know I talk fast and I threw a lot at you.

Councilwoman Hudson: Do you think you identified anything in Rehoboth Beach that you've seen in this area?

Detective Jason Pyers: I haven't been through Milton to really take a look; to be honest with you. I definitely know they're down here in Sussex County; I've seen them; I've dealt with them; I've talked to my guys. Believe it or not, drug dealers and gang members, go on vacation, just like we do; so they like to come to some of these areas and just because they come down here, doesn't mean they leave those ways behind them; but I haven't seen anything per se

definitely.

Chief Phillips: That shooting we had a while back at the school, where they were fighting over a stolen gun, they were Bloods and Crips; they went at each other. The incident that happened at Rehoboth Beach where they beat up some of the people down there, they actually lived in and around Milton and they were Bloods and Crips also.

Mayor Newlands: What percent of crimes are gang vs. gang vs. gang vs. innocents?

Detective Jason Pyers: Most of the time it is gangster on gangster crime. Most of the time that's what you would see. However, you can see just by those two quick crime scenes that I showed you, they have no regard for the public when this happens. Occasionally, yes, sometimes somebody who is an innocent civilian will get victimized; but usually up our way, it's not too often that we see that. Most of the time, they battle with each other is what happens; but, where the victimization comes in for everybody else is, as I said, the primary source of income with these guys is illegal drugs; so because they're pushing all these drugs, your house is going to get burglarized so that person can get drugs and that's generally who they're getting it from. You may not have the immediate impact, as far as the average citizen is concerned, but you will definitely get it maybe twice removed from them; but once they show up, it will definitely be a problem.

Unidentified Speaker: What's the interface between local Police Departments and State Troopers? How does Dover interface and how adept are the State Troopers in dealing with gangs and drug related crime throughout the State?

Detective Jason Pyers: As far as State Police are concerned, we work with State Police quite a bit; Troop 3 is right there on the south side of Dover. As far as gang stuff, I think we're leading them in street gangs. The one thing that State Police specialize in, outlawed motorcycle gangs. They are by far in the State; that's what they specialize in. In Dover, because of the nature of what we deal with, with the city, we deal with more street gangs. I would say we are well versed in that and they're well versed in motorcycles; but what's interesting, like I showed you the slide at the beginning, as far as the communication, we talk to them all the time. When they have a street gang problem, they usually will call me up and ask if I can help them out. If I have a motorcycle gang problem, I'll call them up and ask if they can help us out. So we work hand in hand all the time with the Delaware State Police and they're at a lot of the conferences that I attend and I do a lot of teaching for them as well.

Unidentified Speaker: How is bond established and why is bond allowed when they get away from you; and you put in so much effort into getting them incarcerated? It seems like a ridiculous thing to happen.

Detective Jason Pyers: That's a really good question. What bond is there for; when we arrest somebody and we take them to court, when we present them before the Judges, bond is to ensure the safety of the public and to ensure that the person shows up for court. The courts are quick to remind us; and I'm sure the Chief can attest to this; that bond is not to be utilized as punishment; is what they tell us. They have guidelines that are set and believe it or not, with some of these crimes, like a reckless endangering, which is technically the term for them just shooting and missing; the bond is not really that astronomical. You would really be shocked to see what some of the bonds are that are set; it would frustrate you. Because for us it gets very frustrating that we'll arrest these guys for this and the same day or the next day they're out of jail and they're right back out on the streets again. But that's the way the courts are; and that's the way the legal system works in the State. They do have guidelines and we try to recommend, based on the crime to go above those, but it's whatever the Magistrate wants to do at that particular time is what's going to happen. One of the other things that we've had a lot of success with in dealing with these guys, is our Safe Streets Program. You don't have one here, but with

our probation and parole officers, we use those guys quite a bit, because most of these people are repeat offenders; most of your repeat offenders are on probation; so we work hand in hand with probation and parole quite a bit too. They're part of my unit, our Safe Streets Unit. The Chief wanted me to talk to you about drugs. As I told you, that's what I've done my whole career; for the most part, I've been in the drug game and I know it pretty well; especially in our area and different areas of the State have different trends and that's one of the things that I've learned. For example, Dover traditionally, our drug of problem has been crack cocaine; it's been the biggest drug that we've had to deal with as far as violence and everything associated with it. After that, marijuana is pretty prevalent. I think that's just about everywhere. It knows no social or economical backgrounds; it goes across the board. But what I would say is one of the interesting things that I've seen over my years of being in the drug game, is some of the different trends that have developed. One of the most alarming trends that I've seen, and I told the Chief this, and the Chief went to our City Council and told them this as well; it's prescription drugs. Prescription drugs right now are out of control. I'm here to tell you that right now; they are out of control. They are consuming probably about 50% of my unit's time now; that's how long we spend on prescription drug cases. They're very difficult and very tricky cases to work, because you have dirty doctors and everything else out there involved in this; so prescription drugs I would say within five years are going to surpass any of the other "illegal" street drugs that we deal with; like your crack or your marijuana or your Ecstasy. But the alarming thing that I've noticed with this trend, is with prescription drugs, a lot of people if you talk to them about this problem, they usually are developed from an injury; they get hurt or something like that and they start messing with these prescription drugs; the next thing they know, they have an addiction that they can't deal with. These are some of the trends that I've seen develop and they can't deal with it and what happens is these drugs are very, very expensive to get their hands on. Extremely expensive. For example, percocet, which is very common. I'm sure that anybody here that's had a surgery, has probably had percocet given to them. Percocet will sell \$1 per milligram on the street; so if you have a 30 milligram percocet pill, it will sell for \$30 on the streets. So you can see where this habit, if you develop it illegally, gets very expensive. So the trend that we've seen happen is that the replacement for it comes from the same narcotic family as heroin; so because we've had a rise in percocets and other prescription drugs, we've also had a rise in heroin in our area; which is very alarming, because Dover has never been a heroin area, at all. Smyrna, Wilmington, Philly, those places; Baltimore heroin areas; Dover's never been that way. But once we saw the prescription drugs hit us, we knew right then and there, I said, here comes the heroin and low and behold it's coming left and right. We just got our biggest seizure in DPD history last month; we got over 1,000 bags of heroin, off of a rip that we did. You can see that it's definitely starting to take off for us and traditionally, we never really dealt with it at all here. In the past few years, that hand in hand with the prescription drugs. And the problem is, like I said, my unit we're actually short right now by three officers, so we're scrambling like mad to try to keep up with everything; and now that we have this prescription drug stuff on our plate, it's really getting taxing for us, as far as working the different cases that we have to do. These slides just talk about heroin a little bit. That's how it is primarily bagged, if you've never see heroin. I was actually going to bring some down for you; because we do have drug identification kits; and in these kits, I actually bring real drugs; but I wasn't sure of the crowd I was going to have. I didn't want to do strip searches, when we're done, if I passed it around. That's what heroin looks like. The dealers around here what they commonly do is they will stamp the bags. What they do when they stamp these bags, is they're pretty much putting their brand on it; their trademark; so if you utilize this heroin, like this one here that's labeled Tiffany; if you use this heroin and you get a

good high off of it, you're going to brand shop. Just like if you get a good bag of potato chips. Every time you go back to the grocery store, you're going to buy that bag of potato chips, because you know it tastes good. The same thing with these illegal drugs. They will stamp and brand their products the same way. What it is is that each one of those bags up there that you see, will sell for about \$10 to \$15 a bag; if you don't know drugs 101, the key things that marks up the price is shipping and handling, with drugs. Getting it from the source to you; each step it takes, the price increases because of the risk involved. So, what I was getting at is in Dover, you can buy your heroin from usually around \$15 a bag; somewhere in that range; but if you go to Wilmington you can get it for \$10 a bag; if you go to Philly, which is usually one of the big source places, you can get it even cheaper than that. So usually the further away it gets from Philly, the more you're going to pay for it; because Dover is smart. When you talk to drug dealers down there, they'll tell the users if you take the trip and run the risk of driving up the highway going to Wilmington, getting robbed and coming back and getting stopped by the police, so that's why they can mark up their product; but that's generally how you see it packaged. Each one of those bags contains .02 (two one hundredths) of a gram of heroin. Heroin is a very chalky looking powder, whereas when you get to cocaine, it's a salt based, so it's more granular; where if you get to heroin, it's almost like baby powder; talcum powder; in it's consistency. Very, very nasty drug. I have yet to see anybody that's really been able to kick heroin. I've actually had people that I've arrested smoking crack and they said they were smoking crack to get off of heroin. That tells you how nasty it is, as far as the addiction of it. You could see how they sell for like I said \$10, \$20 a bag; a bundle, which is about 12-13 bags; you can see the price of what it sells for; you can see there's a lot of markup in here; 10 bundles which is a log; 10 logs equals one brick. Extreme, extreme amount of markup in these and a lot of money to be made and with the money that's made, that's where the game becomes real violent and real risky, because the more dangerous it gets for them as far as jail time and everything else, the more violent they get to not get caught. That's one of the big things we've seen with these people and these drug trends. That's just some of the slang terms for them. What you see there are some of the search warrants that we've done around Dover, dealing with this stuff; those are all used bags in the bottom of this one house that we went into on a search warrant. It was her and her three kids were in there; and she obviously had a heroin addiction problem. Here's how it is mainly consumed; snorting it or injecting it. It can be injected by heating it up; putting in a needle and shooting it in your arm and it goes from there. Here we're talking about some of the prescription drugs. Oxycontin is by far, the most sought after of all the prescription drugs that are abused and then percocet comes generally right after it. Perdue Farms is the company that's made this, Oxycontin; it's really gotten out of control. The reason why the Oxycontin first started off is because, it's actually a time release pain killer. So if you take it, your body will break it down and it will slowly release the narcotics in your system, so that it will give you a longer lasting pain relief; what these people realized is that if you take it and crush it up and snorted it; it takes the time release out of the pill and they started snorting it and because it had the same effects as heroin, it took off and that's how the heroin thing came around. That's what Oxycontin looks like. These sell, as I said, for \$80 per pill; it goes by milligrams; all these things go by milligrams. If you buy them bulk, for example, if you go to Sam's Club and buy toilet paper in bulk, you can buy it cheaper; the same thing in the drug game. If you buy this in bulk, the price will reduce. What's interesting about this, is with the sales of Oxycontin, they actually surpass Viagra and everything else as far as any other prescription drug on the market; which I think speaks volumes, as far as how addictive this stuff is. That's pretty much it in a nutshell; just a quick overview of some of the stuff that we see in Dover. The Chief wanted me to come down and talk to you, so you could kind of learn from

our mistakes of some of the things that we've seen and some of the things that we've been successful with and one of the key things for us in being successful is getting out there, on the streets, having the officers get on the streets to really combat this stuff. We're still on our heals a little bit, because of the manpower; we're not quite where we need to be, we just had four come out of the Academy; which gets us back to our original strength; so hopefully we'll be able to take a more aggressive approach with this. Do you have any more questions at all?

Councilwoman Hudson: You mention manpower and you said you hoped to get up to 100 and your 2010 census said that you're about 37,000 people; so if you had 100 officers and 37,000, that would be one officer for every 370 people. We have nine officers...

Detective Jason Pyers: 3,700

Councilwoman Hudson: No, 370 per officer, if you have 100. We have nine officers and our population of 2,576, we would have one officer for every 286 people. I don't know if you could do the math fast enough; but I certainly can't because I don't have a calculator; how many officers do you think you would have to add to get your ratio from 370 people per officer, down to 286 people per officer?

Detective Jason Pyers: That's a lot of math right there.

Councilwoman Hudson: Do you think you would need to add maybe 50 or 60 more?

Detective Jason Pyers: They actually did a study and they said that our manpower should be 120, 130 officers, based on the complaints that we have. It is interesting that you're focusing everything on population. For us, I thought Dover's population was actually more than 37,000; I could be mistaken.

Councilwoman Hudson: That's the 2010 Federal Census.

Detective Jason Pyers: Is that what they said? I do know, basically we go off of complaints; how many complaints we handle and what we have to deal with; and I can't remember the statistic and I wish I could quote it to you; how many complaints our officers actually handle, per day; based on that statistic I think they wanted our manpower to be 120 or 130 officers to get it to where it should be as far as hours spent investigating crimes, as well as hours spent on active patrol. Because the problem now is that our officers, because of the manpower and the amount of complaints we're handling, our officers are spending more time handling complaints than they are actually in the neighborhood driving around trying to deter crime. That's what we mean when we talk about the proactive vs. reactive policing. Because of where we're at, we do a lot of reactive right now and the Chief is trying to change that trend; he's working on it diligently to get it switched back over so we can be a little more proactive; a little more aggressive out there.

Councilwoman Hudson: So it really would be nice if you had one for every 280 people.

Detective Jason Pyers: We would love it; absolutely love it. I'll tell you now, if we did have that ratio, we would probably have a good impact in our city. We would like to get it down even below that, to be truthful with you, I'm sure.

Councilwoman Hudson: I have another question. You mentioned how the gangs said that Dover was soft; if you took out the high schools that go all the way to senior classes and you took out the two Universities and when I was an adjunct professor with Del State University, I did notice they had it fenced all the way around and to get onto campus I had to show my ID at a guarded gate, if you took out the Monster Mile with the thousands of campers over there and you took out all of the young people from the Air Base that come off base for their entertainment and whatever they're doing; how soft do you think Dover would be if you took out all those young people, which we don't have?

Detective Jason Pyers: That's a tough question, because it's hard to say; because soft in a sense could mean a lot of different ways. How they meant soft, as far as the local population is

concerned, to be able to intimidate them and overtake them; it would be interesting because of some of the complacency that's developed in these small towns that I've seen; a lot of people have their doors unlocked and an easy victim is a usually a good victim for these guys; so as far as soft would be concerned, I think if you're asking from the criminal standpoint what Milton would be like...

Councilwoman Hudson: No, I'm asking what Dover would be like if you didn't have high schools and colleges. You're still going to have a lot of people, but...

Detective Jason Pyers: The one thing about our area that I always try to explain to people, is our crime is scaled down to our population. We don't have crime like Philly does, or New York does; because we don't have 8 million people in one small city. But our crime ratio is still scaled down to our population, so if you're asking me to reduce that population, I still think the crime would be there, it would just be scaled down to what's left, as far as who's there. Obviously, you would be moving a lot of elements out of that area. So I definitely think it's based on just on the population that you have, is going to be the crime ratio to that and how aggressive your Police Department can be and how much crime can they deter; how much of a return are they providing to the public, as far as making their town not a soft target. I will say this, the one gang member that was interviewed, they asked him about Dover being a gang town; he said Dover is not a gang town and they asked him why. And he said because the police run that town. Which I thought spoke volumes; so they have the perception that we run the town; because he said they have the locals scared of them; which is good, that's what we want that respect, so they understand, that if you commit a crime in the City of Dover, we're going to catch you for it and I thought that was a big complement paid to our Police Department by that criminal; as a matter of fact it was Deshaun, the one I showed you in the beginning where I did the interview with him. He's the one who made that comment; but I think that comes from us getting out there and hitting the streets as best we can. I think we can be even more effective, if we had the bodies to do what I want to do as far as how many officers I would like to have in my unit to address the problems that we need to address.

Councilwoman Hudson: One thing is that the Chief has worked with is establishing a Neighborhood Watch and I see that you come into the community and are working with people; so how important do you think is it that we enhance our Neighborhood Watch?

Detective Jason Pyers: It's what I say when I go out and talk to the public; is you have to figure there are only 93 of us in the Dover Police Department; of the 93 of us in the Dover Police Department, we don't live in those neighborhoods; some of us do and some of us don't, so we don't get to see what everybody else sees. So community based policing to me is one of the best things out there, because if you can get people vested in their community, that really care; you're going to have a much better atmosphere; it's a lot easier for us to police it, because now we have people out there that are trying to help us; that will tell us because they're the eyes and ears of this neighborhoods; because we can't be around 24/7; we have other places we have to police. But I think community based policing are some of the best things that we've ever had. We have a community policing unit and that's what they do; they go into those areas and they develop a good rapport, because a lot of people don't want to talk to me too much; because I'm the one kicking your door in; so they get leery of talking to me because they don't want to be labeled as a snitch with the Police or cooperating with the Police, because some of these neighborhoods that's not favorable. We do have our community policing unit going into these neighborhoods; they develop that rapport and they develop that trust with the citizens in that neighborhood and what happens is when these crimes do get committed in those areas, they're a great source for us to figure out what's going on, because people trust them to talk to them, so that's why I think it's very important to have that relationship between the police and the

citizens, extremely important.

Councilwoman Hudson: Thank you.

Sen. Joe Booth: Jason, I'm kind of a visitor here, but I thought that in answer to the question, you would have to add about 25 officers, give or take; using quick math.

Detective Jason Pyers: Thank you for that math.

Sen. Joe Booth: I hope I'm right.

Councilwoman Hudson: You have to add 25 more officers.

Detective Jason Pyers: For me, if it's not in grams or kilos, I don't know it.

Sen. Joe Booth: Are you familiar with the incident that we had with Lt. Szczerba and I didn't know if you want to take just a little bit of time talking about the designer drugs, the bath salts and the whipped cream.

Detective Jason Pyers: Yes, well the Chief asked me to do that and it slipped my mind here. The bath salts. The bath salts is an up and coming trend that we've seen; if you saw in the paper that Chief Hosfelt really pushed hard for this to get it out of there, because, what it is the name is really misleading; it's not really a bath salt at all; it's just a designer drug just like you described it. It has a lot of bad qualities to it. It's a hallucinogen and from May to now, Kent General has had 274 cases of overdoses off these bath salts. We had a double homicide in Dover, did you see that one on Governor's Avenue we had a double homicide. The kid that did that burglary, break-in, high on bath salts. The Lt. Szczerba incident up in New Castle County, the defendant in that case was high on bath salts, when he did that. So it is something that we are addressing right now. The legislation is there. Our Chief, I think, was the one that championed it and got the legislation put through and I think it's supposed to hit the books, I don't know if you can help me with this Chief; I think in January the law is going to be effective. What is frustrating for us, is when this hit that, and there's another one out there called K-2 Spice; it's a synthetic marijuana...

Councilwoman Hudson: I already told the Chief about it; they're selling it at Bodie's.

Detective Jason Pyers: Well here's the problem with that is that there is no law in effect that me or the Chief or anybody can do to enforce it and that's the frustrating part for us, is because we know it's there and we know what it's doing; however, without the law...

Unidentified Speaker: Ocean City did.

Detective Jason Pyers: Well that's Ocean City; it's one of those things that we've got to... The legislators and everybody have to get on board. Maryland obviously has addressed this a little quicker than we have; if you go up to New Jersey and New York, they've already got laws passed to deal with that, as well.

Sen. Joe Booth: We passed a designer drug bill.

Detective Jason Pyers: Has it taken effect yet; I don't know if it has taken effect yet.

Sen. Joe Booth: I'm not sure what the effective date is, but we did pass that and I'm going to say May or June.

Detective Jason Pyers: Unfortunately for us though, just like the Chief is frustrated, the laws haven't hit the books yet for us to take enforcement action; so that's why our Chief went to the City Council and had it banned and made it illegal in the City of Dover. Granted, it's only a city ordinance, but it buys us some time to be able to do something to get this stuff off the streets; until the legislation takes effect; until we can actually use the Delaware Criminal Code to enforce it. It is extremely frustrating because with us, with the military, with the Air Force right there, the military banned that years ago, as far as the spice and the bath salts; so the military has taken enforcement action on their base, and they're asking us to help them out off base; and we can't and that's what I'm trying to explain to them; I've said I'm sorry, but we have no legal authority to enforce anything with any of these drugs out there, because they've not been made

illegal yet. It's one of those things, where once again, you've got to catch up to some of the different trends that are out there and this is one that thank goodness; unfortunately though, some people had to really get seriously hurt before this happened. We were already in the process of trying to get it banned before Lt. Szczerba's incident occurred, because of the trends we've saw developing with it and how alarming it was and how taxing it is through Kent General through the hospitals dealing with it; for us dealing with it; pretty bad because we had a lot of violent crime; those are the people you see naked in the middle of the road hitting themselves with baseball bats. That's what the bath salts will do to you. Any other questions on anything?

John Collier: I'm kind of familiar with Dover and all the incidents you related have, in my mind, have a common denominator here; well Manchester Square is some sort of subsidized housing; I think there are subsidies at Town Point, but I'm not positive; some of the places you left out you see them shooting up all the time; Capitol Park; Capitol Green. How many instances did you have in say a neighborhood like Fox Hall?

Detective Jason Pyers: Burglaries, a lot.

John Collier: Burglaries, but I mean...

Detective Jason Pyers: You mean as far as shootouts and stuff like that, no. No.

John Collier: So then you could really say that a lot of the violent portion of it is more of a demographic nature, then anything else.

Detective Jason Pyers: There are certain areas in the city that are definitely prone to more violence than other areas of the city, absolutely. Capitol Green is one of our Blood controlled areas, Capitol Park is another Blood controlled area.

John Collier: Twenty, twenty-five years ago, Dover was the blocks between Division and Lockerman of New, Queen and Kirkwood was the wild wild west, so to speak and it seems like you don't hear much coming from that area anymore and I'm not saying that it doesn't, because I don't live in Dover anymore, so I'm not exposed to it all the time; but having grown up in the area, but having grown up in the area, the pattern that I noticed in your presentation was you really have isolated the violence to certain neighborhood types; not to be stereotypical, but essentially there is a common denominator among those neighborhoods.

Detective Jason Pyers: Well the two that you saw me isolate up there; those two incidents specifically were the ones I put up there for the reason that that's what drew all the media attention; we've had plenty of them throughout the city of Dover. Our last Blood and Crips shooting occurred two weeks ago on the corner of New and Division, is where that shootout occurred. So they're all over the place. I just didn't highlight them all because I don't have time to highlight them all.

John Collier: I understand.

Detective Jason Pyers: But it's actually across the city, but there are certain areas, because they're gang controlled. That area you're talking about right now is our Three Block area; is where our boys are. They control from Lockerman to Mary; from Kirkwood to Governor's is where they control and it's still shoot that place up every chance they get. It's just depends on who has a problem with who and where it's going to take it to and you can see these guys here; they don't discriminate; when they get mad at each other, they'll shoot up anywhere they can find it; but there are certain areas that are definitely more prone to violence in the city, than others.

Chief Phillips: It's just like when we had that thing at the school, H.O.B., where they were playing basketball and they were fighting over a stolen gun; they actually drove down Tobin and were shooting while they were driving; with houses around; made the turn by the church and drove down a few streets, firing while they were going. And they were actually the Boyer

brothers and they were both in the Crips.

Jack Bushey: The City of Rehoboth Beach Police Department extended an invitation to come down and you spoke with our 15 officers and which they're down by 3; from two years ago the City of Rehoboth Beach doesn't appear to be filling those positions. You were invited down to educate their officers on gang related incidents; and one of the police officers there had entered a gang conference training, as well; and it probably is the same in the town of Milton here, the officers had had some gang training and conferences. Has the Chief extended an invitation to you to come down and speak with his officers in an in-service training class?

Detective Jason Pyers: Yes. He and I are in the process of making the arrangements to do that. We were just talking about that a few weeks ago. Absolutely. Yes, he has. 100%

Fran Fallender: Do you think it is right to eliminate police officers?

Detective Jason Pyers: No. I don't think it's right at all.

Fran Fallender: Thank you.

Detective Jason Pyers: And the reason why, is because generally speaking with the economy with the cutbacks and everything else, when people can't legitimately earn the money, sometimes they've got to do what they've got to do and you're going to have to have people out there to enforce that. So I'm definitely opposed to reduction.

Jack Bushey: Your statement there in cutting the Police Department, the ratio, based on the Town of Milton's ration, of 9 police officers and we have a ratio of 1 police officer to 286 citizens, do you think the City of Dover will increase your Police Department to 125 people?

Detective Jason Pyers: No, I don't think they will.

Jack Bushey: Because they don't have the financial means?

Detective Jason Pyers: Absolutely correct. The financial means.

Jack Bushey: Dollars talk.

Detective Jason Pyers: Unfortunately, but at some point in time you have to decide what's the safety of the public worth. I'll be honest with you, that's a tough thing to put a dollar sign on.

Jack Bushey: That's true, that's very true.

Detective Jason Pyers: That's when we run into a lot of problems.

Jack Bushey: But then the next best thing is to make sure that your officers are trained and informed of what's taking place in their community and they're out there doing their job. I think it's tips from citizens if there's a drug problem going on in this neighborhood or whatever, then they need to respond to it. Don't they respond to a complaint that comes into your Police Department that there's a drug activity; do you not put an officer out there to survey the area and confirm the information?

Detective Jason Pyers: Believe it or not, there are times when I can't. Because I don't have the manpower to do it. I would love to take every drug tip that comes in; I would love to immediately follow up on it; some of them we can't; some of them we have to put to the side, because we have to prioritize what's out there, as far as the cases are concerned. So we don't always have that luxury of sending a person immediately to follow up on this complaint, because it comes down to bodies. You're trying to work with... What's the population of Milton?

Councilwoman Hudson: 2,576.

Detective Jason Pyers: So ideally, we would love to have one officer per person, to be truthful with you; because then right there we would have no problems; you would have your personal police officer. Any problem you had, we would take care of it for you. But, unfortunately, we can't do it, so it's hard to please everybody at the same time, is the thing that we run into and honestly, it's interesting to hear things from your perspective and from our perspective because a lot of people don't think we're putting forth the effort or that we're trying to do what we're

trying to do and that their situation falls upon deaf ears, but sometimes it's not true. I get complaints called into me that I've tried to get with you guys three times about this incident and you haven't done anything about it. Sometimes we're working on it and sometimes there's nothing we can do, initially. The funny thing is the Constitution, just because you say somebody is selling drugs, I can't kick in that door. It takes me a while to develop a case. I have to get the probable cause to get through that door and it's interesting because a lot of people watch CSI effect; where they think within 40 minutes, including commercials and stuff, that we're going to have it done. And it's not going to happen that easy; I wish we could, trust me. I wish anytime somebody said that person is selling drugs, I could run out there and jump on and check his pockets, but unfortunately we can't, because there's certain case law limits what we can and can't do and we have to play within those boundaries, because if we don't, we're wasting your taxpayer money; we're wasting our time, because that person is going to get released immediately from prison and it's going to be bad.

Ken Kaye: And as for this, we can't afford to [Unintelligible] that protect us better so they are more and more effective in what you do. [Completely unintelligible]

Detective Jason Pyers: You guys have elected officials that make these laws; we do as the people say, so what you have to do is pressure those people and tell them what you need and what you want.

Ken Kaye: It's ridiculous to pay you to do a job and then you're not going to let them go. We're literally peeing into the wind.

Detective Jason Pyers: Sometimes it feels that way, to be honest with you. And other times, we've actually been very effective. One of the things that has changed now is I'll be honest and the Chief can attest to this, the drug laws have softened up in Delaware. Before the drug laws used to be a lot stiffer; they've unfortunately gotten weaker. It's a certain trends. It's not something I like to see, but it's changed. It's changed in the 16 years I've been here. I'll give you an example of what I'm talking about. If I caught you delivering crack cocaine, let's say you were delivering cocaine first offense; probation eligible. You can get probation for that. No problem. Second offense if you were convicted on the first one, second offense I caught you delivering; 15 years, boom, from the door. For every delivery. So if I watch you do three deliveries that day, you're getting 45 years in prison for that. We were extremely effective with that law. The problem is you fill up the prisons. Prisons get full, it costs money; once again it comes around to the almighty dollar, so what do they start saying; drug offenders are not really that violent, so let's get them out of here and they started softening up the drug laws. Now, second offense, delivery, third offense delivery; you may get two years in prison for it; three years at the most; whereas before I was knocking you 15 years at a pop. So I was getting some really violent offenders off the street very easily, but once again the trends change with the laws and that's something I can't control. We tried and we tried and the Police Chief's Council I know really tried to pull the reins back on them changing the drug laws, and unfortunately it didn't work; they changed them on us again.

Councilwoman Hudson: I'm confused. You were talking about delivery; if you watch somebody do a delivery and the drug laws changed and then you said you got violent offenders off. Can't you get them arrested for violent crimes, as opposed to the drug crimes?

Detective Jason Pyers: When I'm talking about the violent crimes, usually if I could take a drug dealer off the street, a lot of the crimes that are going to be associated with him; the violent crimes, like robberies of the users trying to get the drugs, we can get them off the streets. If we can eliminate the source, then they're not going to come shopping here anymore and that's always been our philosophy; if I can take this drug dealer out, it's going to close up that market area, so that area where everyone that would know to go buy drugs at open air drug markets,

they know that that's not the place to go anymore. That's how we can remove that violence from that area. But yes, one drug dealer I can think of in particular, and I hate telling war stories, but he when he was 16 years old shot and killed a man on Queen Street. He got eight years for that. So you have to figure when he was 24 years old he's back on the streets. He's out selling drugs. Within a few months of him getting out of prison, we were able to get him and give him 33 years in jail for doing deliveries. That to me was payback for the time he should have gotten for the murder. It's one of those things, where that's where the law can really come in affect. But now, as I said, they've changed them and we've just kind of adapted and dealing with what we have to deal with.

Councilwoman Jones: When Rehoboth suspected they had a drug issue and they asked you to come down to share info, were you ever asked to address the Mayor and Council in Rehoboth Beach?

Detective Jason Pyers: No. I was never asked to address the Mayor and Council. I did in Dover. I talked to our Mayor and Council in depth, all the Committees and everything else and I actually did a more in depth presentation then I did for you with them, because I could really drive home a few different areas, because it made more sense to them as far as seeing what was going on with the trends. If Rehoboth did ask me to do that; I would absolutely. I have no problems doing that at all. I think education is the key. You have to know what you're looking at and know what you're up against in order to beat it and that's why I don't mind talking to you at all about this type of stuff. Any other questions, at all? I guess I'm off the hot seat. Thank you. I appreciate your time.

Chief Phillips: I appreciate this.

## 2. Public Participation

- ^ Catherine Grieg, 326 Union Street: I often speak before the group representing a lot of groups. Tonight I'm basically talking about a new event that we have in town, the orange flyers are back there. When the little business group got together in January, we looked at the calendar and we saw that there was nothing scheduled for October; little did we know that Hurricane Irene would come in and schedule an event for October; but we've scheduled something called Fall Into Milton and it's going to be in the lot, next to the Historical Society, free admission, there's going to be food, lots of activities for the children, pumpkin carving, pumpkin painting contests, pet costume contests and ladies, no you cannot dress up your husbands; but my shop, Antiques in Milton, will be hosting an appraiser, for a little mini Antique Roadshow. You can bring anything at all and he will appraise it for you and it's free. There's going to be a lot of food, soup, baked goods, the Economic Development Committee is having a bake table. I think that's really fun. The Economic Development Committee is going to be out there, setting up, selling cookies. It's free admission, but, of course, if you participate in any of the events, the Lavender Farm is going to be there, the Garden Club is going to be there; we're going to have a little workshop on making gourd bird houses. Any of those things that you take part in, if you're taking something home with you, you would have to pay for it, but there are a lot of free activities for the children. Saturday, October 22<sup>nd</sup> from 10 am to 3 pm it will happen. Thank you.
- ^ Lynn Ekelund, 406 Union Street: I'm here after all of the workshops and the meetings on the budget; after all is said and done; one common refrain that you Mr. Mayor expressed to everyone in the population, is if you've got a better idea, please let me know. I don't know whether it's a better idea, but it is an idea. I'm thinking that the Town is not going to be, unless things completely turn around, much better economically in the next 12

months, then it has been in the past budget. We do have a 20% increase in property taxes. I don't see that building is going to explode. We're not going to have the transfer taxes. Hopefully, you can come up with some more revenue sources, but I'm looking at maybe the same struggle that we just went through in twelve more months. What I saw, and these are approximate figures, is that after all was said and done, the Police expenses were about \$788,000. The revenue, and I'm discounting the \$155,000 worth of transfer taxes that was put into the police, as revenue; we'll just put that aside; so the revenue, other than transfer taxes, was \$73,000. That leaves, again, I'm being approximate, a deficit of about \$715,000. With the 20% increase in property taxes, we're proposing \$804,000; less the police deficit, that leaves \$89,000 for the rest of the town. Not to mention that \$155,000 in transfer taxes. What I'm proposing that we think about, or explore; I'm not advocating it right now; it's just an idea that maybe we could look into is, disbanding the Police Department and perhaps offering the police station to the Delaware State Police as a sub-station. Thank you.

^ Katie Deas, 112 Oysterman Drive: I'm here to express my concerns about reducing the number of police officers. Officer Fraley just responded to the house behind me for a home invasion and I just want to commend him for his professionalism and how he handled the matter and he came to my house after he had covered all his bases, to explain what had happened and reassure me; but I just again want to commend him for his professionalism and just consider the safety of Milton and our homes here; because the economic times are really rough and I just am concerned about it. Thank you.

^ John Booros, 115 Broad Street: I just wanted to ask a question. Did anyone check to see if, and I brought this up a few weeks ago, if any of my neighbors that we're having problems with on the block, had licenses to be able to rent those houses out?

Mayor Newlands: We haven't yet, but we're in the process of doing another project on that.

John Booros: Because this past Saturday, those two houses in question, were involved with police officers and guns that apparently led from something that occurred in the park, up onto Broad Street, where the violence came to Broad Street, where the police all had their guns out on the street, telling people to get into their houses. And it turned out that they hauled the guy out from behind one of the two houses in question; it was the one I brought up a month ago, asking if the guy had a license to rent the house to those people to begin with. I would have thought by now somebody would have looked at the list. I've looked at the list. He's not on the list. So I would have thought somebody would have notified him in writing from Town Hall; you don't have a license to rent that house out; you've never had a license to rent that house out; and you need to get those renters out of that house; because we're not giving you a license.

Mayor Newlands: That's not how it works.

John Booros: I don't know how it works, but I've read the Code Cliff; I've read the Code Mr. Mayor and the Code says if the guy is not an upstanding citizen, you don't have to give him a license to rent that house and I would say that if has never applied for a license in the last five years, or paid for a license in the last five years, chances are pretty good he's not an upstanding owner of a property on that street.

Mayor Newlands: But not having a license or forbidding him to have a license, is not a means of us evicting the tenants.

John Booros: It might be a means for him evicting the tenants.

Mayor Newlands: It's possible.

John Booros: I don't know, but all I know is that now the violence has come onto the

street, when there are kids on that street and there are guns pulled out on the street and I don't care if their pulled out by the police. When a police officer pulls out a gun and you know there's drugs and prostitution going on on the street, somebody else is going to pull out a gun. There are children on this street Cliff. It's got to stop, sooner or later.

Mayor Newlands: That suspect... Do you want to explain it Chief or do you want me to explain it?

John Booros: Explain. Bottom line was there were cops with guns telling everybody to get back in their house Saturday afternoon.

Mayor Newlands: That's because the suspect ran from another street onto that street. It didn't start there.

John Booros: I know and he ended up in the back of one of those houses; while they were at the other house in question trying to see if he was in that house. I'm just asking. Has anyone checked? It's been a month now and I'm going to ask again tonight, would you please check and see what you could do about getting those people off our street?

Mayor Newlands: Yes.

Chief Phillips: The subject in question has been arrested and is incarcerated at this time and the victim has been released from the hospital and doing much better.

Mayor Newlands: There was an altercation at the boat dock on Saturday afternoon, around 2 o'clock. An incident happened between two males, who knew each other; one owed somebody else money and one of the males slashed the throat of the other male and he's out of the hospital.

- ▲ Jeff Dailey, 211 Gristmill Drive: Tonight Council will apparently vote on a Resolution citing date, time and place for a Public Hearing on the Dogfish Head rezoning matter. It would be my suggestion that you establish the date some five months from now. The reason being that you Mr. Mayor chose to enter into a non-disclosure agreement some five to six months ago. All those months, while only you were in the know, so to speak, the rest of us went about our business completely unaware that a major land deal was being hammered out; a deal that with rezoning, will impact the town for years to come; possibly in positive ways, but just as possibly, in adverse ways. I would like to see equal time extended to the town because now it is Council's and all residents turn to decipher all that this matter will mean for our town, the place in which we reside. It might also give us all the chance to see who the players, so to speak, are; who are behind this major land and rezoning tracts transaction; and whether any of the matter is in any way questionable. I personally would hate to see a black mark on our town where this matter is concerned; possibly learned of long after bulldozers and such have done their work. In addition, I would also ask that the Mayor recuse himself from any and all votes on this matter in order to avoid any appearance of impropriety on his part, having entered into the non-disclosure last spring. On another matter, I would like to town to provide on the town website, a full report and accounting of the costs of streamlining the accounting methods of the town; a sum that when I last understood, was reaching in excess of \$50,000. I would also like to see the off-sets to the costs, that Milton managed by involving other towns in the project, as was promised by Councilman Lester and perhaps our new Town Manager, welcome to you, Sir; could assist in this reporting.

- ▲ Georgia Dalzell, Chamber of Commerce: Good evening. I'm representing the Chamber of Commerce and I too would like to welcome our new Town Manager. It turns out that October is becoming quite a big month in Milton and I'm just here to remind people that the Festival that was scheduled for the end of the summer, has been rescheduled for October and it will take place this Saturday, so please don't forget to show up for

Bargains on the Broadkill. Everything has been rescheduled; the 10-mile boat race, the duck race, the vendors. We've actually got a larger turnout than we had scheduled for the end of the summer. I think the good weather is going to bring out a lot of people; so Milton will have a very nice month to welcome you here. Thank you very much.

Mayor Newlands: Since people are referring to our new Town Manager, this is Win Abbott; he started a week ago. Our presenter is still not here, so we'll continue and just let the public know Sen. Joe Booth just entered the room. Good evening, Sir.

3. Call to Order – Mayor Newlands called the meeting to order at 6:43 p.m.

4. Moment of Silence – Councilwoman Betts

5. Pledge of Allegiance to the Flag

6. Roll Call – Mayor Newlands

Councilwoman Hudson	Present
Councilwoman Betts	Present
Councilwoman Jones	Present
Councilwoman Duby	Present
Mayor Newlands	Present
Councilman Lester	Absent
Councilman West	Absent

7. Additions or Corrections to the Agenda

Mayor Newlands: Do we have any additions or corrections to the Agenda?

8. Agenda Approval

Mayor Newlands: Do we have a motion to accept the Agenda?

Councilwoman Duby: I'll make a motion to approve the Agenda.

Councilwoman Hudson: Second.

Mayor Newlands: We have a motion and a second to approve the agenda. All in favor say aye. Opposed. Motion carried.

9. Presentation and Approval of Minutes: Budget Workshop 9/7/2011

Mayor Newlands: We do not have the minutes, at this time, of the September meeting, as it was a week later than normal and our transcriptionist was away on vacation and then holidays. Next month we'll have this meeting and the September 12<sup>th</sup> meeting.

Councilwoman Hudson: I make a motion to accept the minutes of the Budget Workshop 9/7/2011, as presented.

Vice Mayor Betts: Second.

Mayor Newlands: We have a motion and a second to approve the Minutes of the Budget Workshop for 9/7/2011. All in favor say aye. Opposed. Motion is carried.

10. Discussion on Written Committee Reports

Mayor Newlands: There are no Committee Reports.

11. Department Reports: Town Manager, Public Works, Project Coordinator, Code and Police.

The Council minutes provided are a summation of the meeting to be used for informational purposes only. An official copy of the meeting can be obtained through Town Hall located at 115 Federal Street by filing out a FOIA request and paying any cost associated with the request.

Mayor Newlands: There are Department Reports. There's now a Town Manager Report in here, as well, and I think Win they're at the back.

Vice Mayor Betts: Mr. Mayor, I would like thank Town Manager, Win, for the report and for being so prompt after he's only been there a week.

Mayor Newlands: One thing I want to mention, when you read the Town Manager's Report; we did go around town and we did a tour of the entire town, when Win started, and we talked about the abandoned buildings in certain sections of town and one thing that Mr. Abbott brought up was that you really need to watch out for is how GPS's and MapQuests bring you into town. Those are the ways all your tourists are going to come into town; so we need to be aware of those directions coming into town; because that's something that visitors, who aren't used to town, will see as the way in; so we have to map that out and take extra care to make sure those areas and intersections are in good shape as well. Does anybody have any questions on these reports? We don't need to vote on them, they're just here for your information. Now the Project Coordinator and the Code Enforcer's reports are separate. Does anybody have any questions? I just want to make a couple of quick announcements. We do have an opening on Planning & Zoning, so if anybody is interested in joining the Planning & Zoning Committee, they should send their qualifications to Town Hall. Also, the Board of Adjustment has an opening on that Committee, as well.

Councilwoman Duby: There's also an opening on the Parks Committee; we had a resignation.

Mayor Newlands: So we have openings on the Planning & Zoning, Board of Adjustment and Parks Committees. And we need to have another Town Council Meeting next Wednesday, October 12<sup>th</sup>.

Councilwoman Hudson: I can't make that. I can't be there.

Mayor Newlands: What about the 13<sup>th</sup>, Thursday?

Councilwoman Hudson: Thursday, yes. I can be there Thursday.

Councilwoman Duby: I think I can do that.

Mayor Newlands: The reason is the insurance agents were in today for health insurance and they've come up with some proposals to lessen the increase of insurance for the staff; so we want to go over that with Council and we need to get that approved by the 15<sup>th</sup> of October.

Councilwoman Duby: Can't do the 13<sup>th</sup> either, but obviously you'll have a quorum without me.

Councilwoman Hudson: I can be there Thursday.

Vice Mayor Betts: I can be there Thursday.

Mayor Newlands: So let's do it Thursday, the 13<sup>th</sup> at 6:30 p.m. here at the Library. Any questions on any of the reports?

12. Finance Report and Revenue/Expenditure Report

Mayor Newlands: Our Finance Report since the last meeting, was later on in September, we gave out the August Revenue and Expenditure Report, so you won't see the September one until the next meeting. That will be the close of our year. We rolled the year on Friday afternoon. Okay, before we start with the next item, Old Business for the property tax, we have Detective Jason Pyers of Dover Police Department who will give a small presentation. See number 1 above.

Vice Mayor Betts: I would like at this time to thank Sen. Booth and Rep. Kenton for their support in getting us the money to pave five streets in our town and I think we should give them a round of applause. It was very much appreciated.

Mayor Newlands: Okay, let's continue our meeting (at 7:47 p.m.) Again, thank you Detective.

13. Old Business – Discussion and possible vote on the following items:

a) Extend Property Tax amnesty on interest and penalties

Mayor Newlands: I handed out a sheet for everybody on Council. We're owed only \$21,381. This is down from the \$70,000-\$90,000 range from a few months ago. Lonnie Wynn, who's one of our Accounting Clerks, she's very diligent in talking to the residents. We've tried a number of vehicles and a number of different ways to get hold of these residents. We've had names that are wrong on accounts, that was one problem we had. We've got some phone numbers that are wrong on accounts, so we're trying to get those corrected. We have accounts with no phone numbers on them, so we're sending the Code Enforcer out now and he's visiting every house to try and find out if the house is occupied; if it is, touch base with the residents; try and explain to them what the tax amnesty is; we've had people come in and tell us that they had no idea what the tax amnesty meant, so they were ignoring our letters; until Lonnie was actually calling a lot of them to try and explain to them what the letter meant and what we were trying to do for them. So we're down to a two-page list. The third page is just the totals, so there's probably 40 people left on the list. Anybody on Council wants a copy, I can give you a copy if you want to see the names. I'll put that in a PDF and email that to you.

Councilwoman Hudson: I have a question. Haven't you already extended the amnesty once? You said it's been three months already.

Mayor Newlands: What do you mean?

Councilwoman Hudson: Originally, I don't think we voted to have it go for three months; so hasn't it already been extended at least once?

Mayor Newlands: We've been doing it with one or two residents as they come in, because they didn't understand the policy; so what we did was we extended it for a couple of individuals because they didn't understand the letter. So we wanted to give them the same benefit and I would like to...

Councilwoman Hudson: So who is we?

Mayor Newlands: Me.

Councilwoman Hudson: Thank you.

Mayor Newlands: Actually it was Lonnie Wynn who was explaining it to them and explaining what the tax amnesty does and we would like to touch base with the rest of these people. We haven't received any responses from the rest of the people on the list. So we want to make sure that they understand what's going on and we want to get this list down as much as possible and get the other \$21,000 in. So I would like to extend this until we send out the new tax bills, which is January. So really extend this through the rest of the year.

Councilwoman DUBY: If it's bringing in money, keep doing it. I move we extend the tax amnesty through January 1, 2012.

Seth Thompson: Let's just make it clear that just in terms of interest and penalties, I gather; so again, it's the exact same term as the prior amnesty program.

Councilwoman DUBY: Yes. I move that we extend the tax amnesty program, which includes amnesty as to interest and penalties only, no change in terms from what we've been doing and that it go through December 31, 2011. Obviously not a popular motion.

Mayor Newlands: I don't know why. It's bringing in money. It brings in money. We're trying to give the residents an opportunity to understand what we're doing for them.

Councilwoman DUBY: I can't second my own motion.

Mayor Newlands: Okay.

14. New Business – Discussion and possible vote on the following items:

a) Approve new member of the Finance Committee

Mayor Newlands: I forgot, it's Alex Donan going onto the Finance Committee. He's on Economic Development already.

Councilwoman DUBY: See what luck I have with this. I move that we approve the appointment of Alex Donan to the Finance Committee .

Vice Mayor Betts: I second it.

Mayor Newlands: We have a motion and a second to approve Alex Donan to the Finance Committee. All in favor say aye. Opposed. Motion is carried.

b) Approve Project Coordinator signing off on private wells for geothermal systems

Mayor Newlands: The Town Code, and correct me if I'm wrong, Robin; the Code says that just the Town needs to approve the wells; not Town Council.

Seth Thompson: That's correct.

Mayor Newlands: So these don't need to come before Council. We only get a handful of them a year. The one we did for Walnut Street wasn't even going to be a well; it was a closed loop system and it was just that DNREC needed approval from us; anytime you go through the aquifer they want approval. So what I would like to be able to do, instead of having people wait; because the one that we approved last week, the weather turned afterwards and she was a little bit nervous that the weather was going to turn. They wanted that system in a couple of weeks ago. If Robin can do it, he can turn it around a lot quicker than waiting for a Council Meeting.

Councilwoman HUDSON: I make a motion that we have the Project Coordinator, sign off on private wells for geothermal systems.

Councilwoman DUBY: I second it.

Mayor Newlands: We have a motion and a second to approve the Project Coordinator signing off on private wells for geothermal systems. All in favor say aye. Opposed. Motion is carried.

c) Resolution scheduling the time and place of the Public Hearing for the application of Dogfish CVI, LLC for rezoning

Mayor Newlands: This is regarding Cannery Village Phase IIIA; tax map and parcel 2-35-20.00-53.00 and for the proposed amendment to the Town Comprehensive Plan for the same parcel, as well as scheduling a date for the receipt of the Planning & Zoning Commission advisory report related thereto.

Councilwoman DUBY: I have a question. My understanding before, when we talked about this, is Planning & Zoning does a hearing and then we do a hearing.

Seth Thompson: That's correct.

Councilwoman DUBY: So, we're going ahead by doing this and scheduling our hearing; before we know what they're doing and when they're going to have theirs?

Seth Thompson: Well, their hearing is tomorrow.

Councilwoman DUBY: Oh, okay. I've been out of town and I didn't realize that it had been scheduled.

Seth Thompson: Basically your zoning ordinance requires that the Public Hearing really occur in front of Town Council. And the Public Hearing involves the notice in

the newspaper and the mailing to the neighboring property owners. The zoning ordinance requires that you adopt by Resolution at that date and time. You can act without the Advisory Report from the Planning & Zoning Commission in the event that 45 days pass and they do not give it to you; but you can also agree to give them a time frame whereby you expect to receive it before. It might not necessarily need to be something weeks in advance; again they're going to hold their hearing tomorrow.

Councilwoman DUBY: So their hearing is tomorrow and then they have 45 days to get us their report after that?

Seth Thompson: No, the way the ordinance is set up, they had 45 days from when the matter was referred to them; but again, the Council and the Planning & Zoning Commission can agree to a different deadline, so that's in effect what you're doing by saying you might not meet these 45 days; the matter had to go to Plus Review and those comments haven't come back yet; they have 20 days to do that. So I assume you're going to want Planning & Zoning to have all of that information before they make their Advisory Report so the Town Council can have a more complete...

Councilwoman DUBY: Well and I would like us to have all that information.

Seth Thompson: So that's in effect the second part of this. Again, you're fixing the date and time for your Public Hearing so that the notice can go in the newspaper and the mailings can go out to the neighboring properties and you're also giving the Planning & Zoning Commission a date whereby they would get their report to you.

Councilwoman HUDSON: I think we should give Planning & Zoning plenty of time. The last meeting was postponed because they didn't have a quorum; a couple of people have resigned from the Commission and hopefully they'll have a quorum tomorrow; but also, as you said, we would like to see the Plus Review and we would like to have everything and I do not want to proceed without their recommendation, so I think we should allow plenty of time; 45 days is just a month and a half; we don't know when the Plus Review is going to come in.

Seth Thompson: Well the Plus Review has 20 days after their hearing and I believe their hearing was the 28<sup>th</sup>.

Councilwoman HUDSON: So how about two months, at least.

Seth Thompson: You could have your Public Hearing on the normal date of your Town Council Meeting; it would obviously make it a much longer meeting, depending upon how many people want to public comment.

Councilwoman HUDSON: So December.

Mayor NEWLANDS: Is that a little bit too long? For our Public Hearing.

Seth Thompson: Correct.

Councilwoman DUBY: Well two months from the 28<sup>th</sup> would be November 28<sup>th</sup> and that's Thanksgiving time; you might as well kick it into the beginning of December.

Councilwoman HUDSON: The December Council Meeting?

Councilwoman DUBY: Well if we want to have a long Council Meeting, I guess my preference would probably be to have it on a different night.

Mayor NEWLANDS: We don't have to wait the two months for our Public Hearing.

Seth Thompson: Plus is 20 days. If I said two months, I misspoke.

Councilwoman HUDSON: No I said two months.

Councilwoman DUBY: No, she was suggesting two months, which I think makes sense to make sure that Planning & Zoning has time to get everything in and evaluate what they get at their hearing and put a report together and to give us time

to review it before we have the hearing.

Mayor Newlands: How many meetings does Planning & Zoning have? Just one? They have the hearing tomorrow.

Seth Thompson: They have it scheduled for tomorrow and they also have their regular meeting scheduled for this month; well, in the event that I guess, Plus wouldn't come in by tomorrow.

Mayor Newlands: So how many meetings do they have to have on this?

Seth Thompson: Technically, the Public Hearing happens at your level.

Mayor Newlands: Right.

Seth Thompson: They obviously still need to meet; comply with FOIA; go over the application; that's what they'll use to base the Advisory Report; but in terms of the time period whereby your Code requires that the Town hold a public meeting to receive public comment and do the newspaper advertisement; that's in front of Council. It's not necessarily at the Planning & Zoning level. Now my understanding is that they're going to receive public comment; because that's probably helpful and it should lead to a better Advisory Report.

Councilwoman Duby: I would hope.

Seth Thompson: And the newspaper notice has to be, in terms of that time frame, it has to be at least 15 days in advance. The mail notice has to be at least 10 days in advance. Newspapers technically requires notice a few days before the 15 day deadline.

Mayor Newlands: So why don't we do the middle of November; instead of waiting all the way until the December meeting.

Councilwoman Hudson: Well, you're getting closer to Thanksgiving and December is right smack between Thanksgiving and Christmas and it's sort of a dead time or an in between time.

Mayor Newlands: No, it's actually not. Besides the Council Meeting in December, we have tax appeal meetings we have to have in December.

Councilwoman Hudson: I'm just trying to make sure that Planning & Zoning has sufficient time to get their job done and also that we have the Plus Review.

Mayor Newlands: We're not waiting for their reports to come back to have this hearing.

Councilwoman Hudson: Well I would like to see it.

Seth Thompson: You are. You're going to have their Advisory Report. Well you don't have to; it's not required.

Councilwoman Duby: Well it would be stupid not to.

Vice Mayor Betts: And I think we should.

Councilwoman Hudson: Thank you. It would be stupid not to. Yes.

Mayor Newlands: But they give it back to us at a Council Meeting? How do they present their report back to us?

Seth Thompson: No it will be in a written format. Their discussions will occur in a public meeting and then they'll vote and that vote gets embodied into a written document and I think it's delivered to Town.

Mayor Newlands: But it's just delivered to Town. Is it delivered to Council at a meeting?

Seth Thompson: No.

Mayor Newlands: So it's just delivered to the Council individually.

Seth Thompson: Correct.

Mayor Newlands: Okay.

Councilwoman Hudson: I don't think that's excessive for the Dogfish Head Brewery to wait two months.

Mayor Newlands: Oh, I'm not saying that. December we're going to have a meeting on property tax appeals, as well.

Councilwoman Hudson: Well then go to January. I think asking to do it in November is just too soon.

Mayor Newlands: Okay.

Vice Mayor Betts: I think it should be a separate hearing, because I don't think we should rush it; to rush our property owners, to rush them through for the Public Hearing and then have a meeting thereafter. I think we should have a separate meeting.

Councilwoman DUBY: How about the second week of December; the 12<sup>th</sup>; the week of the 12<sup>th</sup>. Our regular meeting is the 5<sup>th</sup>.

Mayor Newlands: We'll be having three meetings then, because our tax appeal has to be that month also.

Councilwoman Hudson: Yes. Yes.

Mayor Newlands: So we would be doing the 5<sup>th</sup>, the 12<sup>th</sup> and the following week. You would be doing three in a row. Because you would not want to combine this with the tax appeals.

Councilwoman DUBY: No. No. If we have to have three, we have to have three.

Mayor Newlands: Okay.

Councilwoman Jones: And this will be for the purpose of reviewing the Planning & Zoning's recommendation and listening to the public; not a vote.

Seth Thompson: You ultimately have to vote on the rezoning and on the Comprehensive Plan.

Councilwoman Jones: That night?

Seth Thompson: You don't have to do it that night; but you do have to have the Public Hearing; again that happens at Council level.

Councilwoman Jones: Okay. Then how about if we have the Public Hearing somewhere after the Town Council meeting so that if we need to discuss it at January's Town Council Meeting, we can do that.

Councilwoman Hudson: So when do you want to have this?

Councilwoman DUBY: I was suggesting the second week of the month, because we've got our regular meeting on the 5<sup>th</sup>; if we had this on the second... Do we have the tax appeal one scheduled yet?

Mayor Newlands: No we haven't. That's just some time in December.

Councilwoman DUBY: Have one meeting the first week; one meeting the second and one meeting the third week and then Christmas is the fourth week. Just a month full of fun.

Mayor Newlands: Robin, is the 13<sup>th</sup> of December, is that free as far as your schedule? That's the 2<sup>nd</sup> Tuesday.

Robin Davis: Tuesday's are usually my Historic Preservation or Planning & Zoning.

Mayor Newlands: So let's do it Wednesday the 14<sup>th</sup>.

Councilwoman Hudson: If we're that jammed up, it's just a couple of more weeks into January's meeting; you know what I mean. If you're that jammed up in December.

Mayor Newlands: No, I don't want to have it at a Town Council Meeting. I would

like to have it outside of a Town Council meeting. So we'll do it December 14<sup>th</sup>, Wednesday.

Seth Thompson: You have to fix the time, as well.

Mayor Newlands: I know. I know. Do you want to read this, go over this?

Seth Thompson: Robin, when is the Planning & Zoning meeting in November? Do they have it on the 3<sup>rd</sup> Tuesday. Are they going to have it even though it's Thanksgiving?

Robin Davis: The third Tuesday would be the 15<sup>th</sup>.

Seth Thompson: So potentially that could be a deadline for them; if you want the Advisory Report issued by their meeting in November, that gives you a few weeks to digest it. Robin, what's the numeric date for the November meeting.

Robin Davis: November 15<sup>th</sup>.

Seth Thompson: They seemingly should be in a position to vote on it at the end of October; at their second meeting in October; circulate a written draft and any issues with that could be discussed at that meeting. "Resolution Number 2011-4, to schedule a time and place for a Public Hearing on the application of Dogfish CIV LLC for rezoning Cannery Village Phase 3, tax map and parcel 2-35-20.00-53.00 and for the proposed amendment to the Town Comprehensive Plan for the same parcel. WHEREAS the Town Council of the Town of Milton, Delaware, a town may from time to time, amend by Ordinance and Boundaries of the Town's Zoning Districts, pursuant to Section 220, Article 14 of the Town Code; and, WHEREAS the Town Code provides that any proposed amendment be referred to the Planning & Zoning Commission for an Advisory Report prior to the Public Hearing before the Town Council; and, WHEREAS, the Town Code requires the Town Council to fix, by resolution, the time and place of the Public Hearing and cause notice to be given via publication not less than 15 days prior to the date of the hearing; written notice to any required municipal County, State or Federal agency in a manner prescribed by law and certified mail, return receipt requested to all owners within 200 feet of the boundaries of the subject property at least 10 days prior to the Public Hearing; and, WHEREAS the Town has received an application for Dogfish CVI LLC for a rezoning of tax map and parcel 2-35-20.00-53.00, also known as Cannery Village Phase 3A, which entails a proposed amendment to the town Comprehensive Plan for the same parcel; and, WHEREAS the Town Council referred the application to the Planning & Zoning Commission on August 18, 2011, NOW THEREFORE, be it resolved that the Town Council of the Town of Milton shall hold a Public Hearing at 6:30 p.m. on Wednesday, December 14, 2011 in the Milton Public Library located at 121 Union Street, Milton, Delaware on the Application Dogfish CVI LLC for a rezoning of tax map and parcel number 2-35-20.00-53.00, also known as Cannery Village Phase 3A and on a proposed amendment to the Town Comprehensive Plan for the same parcel. Be it further resolved that the Town of Milton shall cause notice to be given in accordance with Milton Town Code Section 220-91, entitled 22 § 304 of the Delaware Code. Be it further resolved that any Advisory Report by the Planning & Zoning Commission, including it's recommendations and a full statement of the reasons therefor, shall be provided in writing to the Town Council and the Code Enforcement Officer prior to the Public Hearing on the aforementioned date; specifically November 15, 2011." Does anybody have any questions; does that make sense?

Councilwoman Hudson: It makes sense.

Seth Thompson: “I, the undersigned, Clifford Newlands, Mayor of the Town of Milton do hereby certify that the above Resolution was passed at the meeting of the Town Council, duly called and convened held on the 3<sup>rd</sup> day of October, 2011 at which a quorum was present and voting throughout and that same is still in full force and effect.”

Councilwoman DUBY: I move approval of that Resolution.

Councilwoman HUDSON: Second.

Mayor Newlands: We have a motion and a second to approve the Resolution of Dogfish Head Brewery. We'll take a roll call vote:

Councilwoman Hudson	Yes
Councilwoman Betts	Yes
Councilwoman Jones	Yes
Councilwoman DUBY	Yes
Mayor Newlands	Yes

Mayor Newlands: Motion is carried.

Mayor Newlands: We have a motion and a second to approve Alex Donan to the Finance Committee. All in favor say aye. Opposed. Motion is carried.

15. Executive Session: Discuss Personnel Issues, Litigation and Land Acquisition

Mayor Newlands: Can we have a motion to go into Executive Session?

Councilwoman DUBY: So moved.

Councilwoman HUDSON: Second.

Mayor Newlands: We have a motion and a second to go into Executive Session at 8:08 p.m. All in favor say aye. Opposed. Motion carried.

Mayor Newlands: Can we have a motion to go come out of Executive Session?

Councilwoman DUBY: So moved.

Councilwoman HUDSON: Second.

Mayor Newlands: We have a motion and a second to come out of Executive Session at 8:53 p.m. All in favor say aye. Opposed. Motion carried.

16. Adjournment

Councilwoman DUBY: I make a motion to adjourn at 8:53 p.m.

Councilwoman HUDSON: Second.

Mayor Newlands: We have a motion and a second to adjourn. All in favor say aye. Opposed. Motion carried. Thank you all.